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Commission, OSCE observe Armenia's parliamentary elections

by Michael Ochs

On May 30, Armenia held its second parliamentary election since gaining independence. Twenty-one parties and blocs contested 56 seats set aside for party voting and over 700 individual candidates competed in 75 majoritarian races to fill the legislature's 131 seats. According to official results, turnout was almost 56 percent.

The big winner in the election was the Unity bloc, an alliance of the Republican Party, headed by Defense Minister Vazgen Sarkissian, and the People's Party of Karen Demirchian, Armenia's last communist leader. Demirchian and Sarkissian are Armenia's most popular and most powerful politicians, and Unity did even better than expected, gaining an effective majority in parliament. The Communist Party came in second, followed by the socialist Armenian Revolutionary Federation. Next, in order, were a party backed by the defense minister of Nagorno-Karabakh, a party reportedly supported by Armenia's Minister of National Security and Internal Affairs, and the National Democratic Union, whose leader lost a highly controversial election in 1996 to then-President Levon Ter-Petrossyan. No other parties passed the five-percent barrier.

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**Election officials wait
for more voters to arrive...**



**...as the current
voters show their
identification again
to the officials at
the ballot box**



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OSCE observation missions had criticized Armenia's parliamentary and presidential elections in 1995, 1996 and 1998, so Yerevan had to hold better elections to restore its damaged reputation. The May 30 election was also supposed to formalize the shift of power in early 1998, when the governing party, the Armenian National Movement (ANM), collapsed as its leader, Levon Ter-Petrossyan was forced out and Vazgen Sarkissian came openly to the fore.

The ANM and other parties associated with Ter-Petrossyan have now been swept away, winning almost no parliamentary representation. As for Armenia's image, Yerevan's hopes for a better assessment from the international community were partially realized. The May 31 joint statement by OSCE/ODIHR and the OSCE Parliamentary Assembly noted improvements since previous elections, such as the authorities' respect for freedom of speech and assembly, parties' and candidates' ability to enter the race and campaign freely, the neutrality of media coverage and provision for domestic election observers. But serious reservations remained, especially the poor state of voter lists, which kept many people from casting ballots, continuing problems with military voting and insufficiently representative election commissions.

Though Armenia's May 30 election was a clear improvement over previous elections, concerns persist about overall political trends. Armenia is unique among former Soviet republics in that its president, despite broad constitutional prerogatives, is not the most powerful political actor. Vazgen Sarkissian, as defense minister, had already gained a remarkable hold on the military, the executive branch and even the legislature, while also heading a veterans' organization that controls most local authorities. Such concentration of power in the hands of one politician bodes ill for separation of powers and the development of civil society. Even more troubling, Sarkissian's record does not inspire confidence in his commitment to democracy. He now has to overcome his reputation and manage his own transition to a democratic statesman.

After the election, Sarkissian became Prime Minister, tightening his grip on all branches of Armenia's Government, despite formally ceding control of the Ministry of Defense. On the other hand, he now bears full responsibility for improving Armenia's economy. Karen Demirchian, for his part, is now Speaker of Parliament. He, Sarkissian and President Robert Kocharian form a troika that at present appears to be cooperating, but the balance of power among them is unstable. Rumors persist about tensions between Sarkissian and the institutionally weak Kocharian, which could yet lead to a confrontation. Parlia-



Hundreds of angry voters missing from the voter lists arrive...

...at the local court outside of Yerevan...

ment Speaker Demirchian, for his part, has signaled his intention to strengthen the legislative branch at the expense of the executive, which could also upset the delicate equilibrium among the country's leading political actors.

The composition of Armenia's new parliament reflects the influence of power structures and the interests of newly wealthy businessmen. Most significant political parties, though highly suspicious about problems with voter lists on election day, won sufficient representation to accept the outcome and remain engaged in the political system, even if they consider the game skewed against them. The overall tenor of government-opposition relations has greatly improved since Levon Ter-Petrossyan's departure, with only the more radical wing of the ANM refusing to accept the legitimacy of the president and parliament.

The election and the victory of the Unity bloc presage no major shifts in Yerevan's foreign policy or specifically, its approach to the Nagorno-Karabakh conflict. Vazgen Sarkissian had been instrumental in ousting the relatively moderate Levon Ter-Petrossyan so there is no reason to expect concessions from him or from President Kocharian, who had previously been president of Nagorno-Karabakh. In an attempt to revive the



long-deadlocked OSCE talks, negotiators are seeking compromise language between proposals put forward in 1997 and 1998's "common state" approach. Perhaps more promising are the stepped-up bilateral contacts between Kocharian and Azerbaijani President Heydar Aliev, who met in Washington in April and again in Geneva on July 16. They expressed satisfaction with their discussions and plan to continue meeting, though they announced no breakthroughs. It would seem that the 76-year-old Aliev's health problems in 1999 have spurred the intensified negotiations, as the search for peace has now become entangled in Azerbaijan's succession politics: resolving the dispute would bolster Aliev's reputation and enhance his son's prospects to succeed him, but accepting terms that Azerbaijanis would consider a defeat would tarnish Aliev's legacy, doom his son's chances and could even lead to instability in Azerbaijan. Though Kocharian and Sarkissian have recently voiced confidence about a near-term resolution,

...hoping that this judge can get them the proper papers that will allow them to vote anyway. This was a widespread and serious problem.



finding a compromise that allows all parties to claim victory will be very difficult.

Following the lead of the OSCE, the U.S. State Department noted the improvements over past elections but emphasized the need for further progress to bring Armenia's elections up to OSCE standards and raise public trust in the process. With the OSCE's assessment having at least been better than in past elections, Yerevan can hope for the first official visit to Washington of President Kocharian this fall. □



Russian reaction to NATO action breathes life into dormant OSCE mechanisms

by Erika B. Schlager

On April 6, Russian Ambassador to the OSCE Oleg Belous made a statement to the OSCE Permanent Council in Vienna asking for a clarification concerning “the implementation by the NATO member-States of the commitments taken under the ‘Code of Conduct on Political or Politico-Military Aspects of Security,’ adopted at the OSCE Summit in Budapest (1994).” Para. 38 of the Code states that “[i]f requested, a participating State will provide appropriate clarification regarding its implementation of the Code.” The Russian statement alleged that NATO countries were, through their actions in Serbia, violating provisions of the Code, the Helsinki Final Act, and the United Nations Charter. On April 21, the Permanent Representative of Denmark, speaking on behalf of the NATO member States, responded to this request for clarification at the OSCE Forum on Security Co-operation in Vienna. Other countries which addressed this agenda item were Albania, Germany, Switzerland, France, Belarus, and the United States.

On April 22, the Permanent Mission of the Russian Federation announced that it was implementing the Mechanism for Consultation and Co-operation with regard to Emergency Situations adopted at the Berlin Meeting of the CSCE Council (June 19-20, 1991); the communication was directed to the 19 individual countries which are members of NATO.

In particular, the Russian communication indicated that Russia considered “unsatisfactory” the “clarifications submitted by some Western countries” in response to Russia’s April 6 request for information. The invocation of the Berlin Emergency Mechanism escalated Russia’s position with respect to NATO’s action in Kosovo and required the “requested states” (as those countries on the receiving end of Russia’s communication are known) to “provide within 48 hours all relevant information in order to clarify the situation giving rise to the request.” The request for information and the reply (or replies) must be transmitted to all participating States. On April 23, the United States (and other NATO countries) issued a response to the Russian request for information. In doing so, the United States largely drew on the statement on Kosovo adopted by the North Atlantic Council on April 12.

In theory, the 1991 Berlin Ministerial document also provides for the convening of an Emergency Meeting of the Committee of Senior Officials (CSO).





Specifically, after an initial exchange of a request for information and a response, the requesting country may, if still dissatisfied, ask the Chair-in-Office to convene an Emergency Meeting. A request to convene an Emergency Meeting must be seconded by 12 other states.

In fact, a number of CSO Emergency Meetings were held regarding the Yugoslav crisis between 1992 and 1994. But in December 1993, the Stockholm Ministerial established (originally as an unnamed body) a Permanent Committee, which was then renamed the Permanent Council (PC) by the December 1994 Budapest Summit. This body meets on a weekly basis and, accordingly, the utility of convening Emergency Meetings of the CSO (which would usually consist of the same representatives as those participating in the PC meetings) has disappeared; there was one Emergency Meeting convened in 1993 and one in 1994. Thus, the prospect that Russia might convene an Emergency Meeting, in the event that it was able to get a request seconded by 12 other countries, would have more symbolic than substantive meaning.

As it happens, after the U.S. response of April 23, Russia switched gears: on April 27, Russia announced that it was invoking the Vienna Human Dimension Mechanism, in accordance with the 1989 Vienna Concluding Document (VCD), thus alleging that the member States of NATO were committing mass violations of human rights on the territory of the Federal Republic of Yugoslavia. The VCD envisions a set of steps that may be pursued with a view to improving human rights performance. These steps include: 1) exchanging information on a bilateral basis; 2) holding bilateral meetings to discuss situations or specific cases; 3) bringing situations or cases to the attention of other participating States; and, 4) raising situations or cases at meetings of the Conference on the Human Dimension or at Follow-up Meetings. The Vienna Mechanism was used on numerous occasions between 1989 and 1991, but fell into disuse afterward.

On May 18, the United States circulated (as did other countries), through the Secretariat, its response to Russia. Subsequent to this response, there have been no further invocations of mechanisms in connection with the Kosovo crisis. □



Seventh Annual Economic Forum focuses on environmental threats to security

by Marlene Kaufmann

The Seventh Annual OSCE Economic Forum was held in Prague, the Czech Republic, May 25-28. This year's theme was "Security Aspects in the Field of the Environment" and included one day of economic dimension implementation review. Participants in the Forum were high-level representatives from participating States responsible for shaping economic and environmental policy in the OSCE area. The U.S. delegation was co-led by Ambassador David Johnson, Head of Mission to the OSCE, and Deputy Under Secretary of Defense for Environmental Security Gary Vest, and included representatives from the U.S. Department of State, the U.S. Environmental Protection Agency, the U.S. Agency for International Development, the Helsinki Commission, and members of the American business community.

One day provided little time for detailed implementation review of participating States' efforts in the economic dimension. In fact, during the course of the discussion, many delegations called for more frequent review and several, including the United States, suggested it is time to consider producing a new Bonn Document—a "Bonn Document II"—which would provide a set of norms and commitments relevant to current risks and challenges in the economic sphere. Several speakers pointed to the current economic crisis in Russia and the economic impact of the Kosovo Crisis on the countries of the region as the most pressing issues facing the

participating States. There was also consensus among the participants that establishing the rule of law and transparency in government were key to economic and political stability. Ambassador Johnson pointed out in his plenary statement that "there is a direct causal relationship between transparency and respect for the rule of law, and prosperity, stability and environmentally sustainable development. Those countries that have moved toward the establishment and enforcement of clear, consistent and equally applied laws governing trade, taxation, investment and other business activities have consistently become more prosperous, stable and free. Those that have not have either stagnated or fallen behind in key areas."

Following the session on implementation review, the Forum divided its work into three working groups: Energy and Environment; Security Aspects of Shared Water Resources and Regional Cooperation; and; Public Participation: The Role of Civil Society. In addition, an informal working group on "Environmental Security" discussed the relevance of environmental aspects of security within the context of the OSCE. A main focus of the discussion was the NATO Pilot Study entitled *Environment and Security in an International Context*. This study was prepared by NATO's Committee on the Challenges of Modern Society (CCMS).

Representatives of the participating States recognized that secure sup-

plies of energy are a prerequisite for long-term stability and security. The OSCE participating States share common interests in the energy sector, including ensuring secure energy supplies, competitiveness and efficiency, and reconciling energy developments with environmental obligations. They reiterated their commitment to move toward more sustainable energy policies, particularly increasing energy efficiency and promoting renewable energy sources. The OSCE has the potential to facilitate the sharing of best practices in this field, and encouraging the transfer of technology and the development of stable framework conditions for commercial investment.

Good management of scarce freshwater resources is of utmost importance to security in the OSCE region. Participants felt that existing conventions should be signed, ratified and effectively implemented. Key conditions for successful water-sharing regimes are political will, equity and effective control of management and monitoring activities by affected parties. It was agreed that new efforts must be undertaken to deal with unresolved issues. The delegates concluded that no society can achieve sustainable development without appropriate water resources and that preservation of existing resources is not enough. Both upstream countries and downstream countries must work closely together to find viable solutions.

The delegates agreed that public participation and the role of civil so-

Romania to Serve as OSCE Chair in the Year 2001?

by Erika B. Schlager

ciety is crucial when addressing environmental security. A good deal of time was devoted to discussion of the Aarhus Convention (The United Nations Economic Commission for Europe Convention on access to information, public participation in decision making, and access to justice in environmental matters). It was argued that public participation in decision making with regard to the environment, the right to know about environmental problems, and the access to justice in environmental matters are important for security. Past experience has taught that lack of democracy, transparency and due process in this area undermines a society's confidence in governmental institutions and decision making.

The representatives of the participating States concluded that the work of the OSCE in the economic dimension must become more operational and include better outreach to, and involvement of, NGOs and the business community, as well as enhanced cooperation between the OSCE and specialized economic, environmental and financial institutions.

The next annual Economic Forum is scheduled to be held in Prague April 11-14, 2000 and will address the issue of "Economic Aspects of Post-conflict Rehabilitation; the Challenges of Transformation." (*Jill Parlet contributed to this article*) □

On June 30, Secretary of State Madeleine K. Albright visited Bucharest and officially threw American support behind Romania's bid to be the OSCE Chair-in-Office (CIO) in the year 2001. (Austria will assume this rotating, one-year position for the year 2000.) The CIO is vested with the overall responsibility for executive action and coordination of current OSCE activities. As such, the country that serves as CIO plays a critical role in developing and executing policies and action plans agreed upon by OSCE participating States. In many instances, the CIO is also able to set priorities for the OSCE and is able to take initiatives without a prior decision from the Permanent Council or other OSCE decision-making bodies. For example, it is the CIO who selects the subjects for the three supplemental human dimension meetings, after consultations with participating States. The CIO may also send Personal Representatives to engage in fact-finding or other activities. The previous, current, and succeeding CIOs are together known in OSCE parlance as the "troika."

Thus far, there has been an unstated, unwritten practice of rotating the CIO position between a country from the European Union, a country from NATO, and a non-EU/non-NATO country. The position of OSCE CIO, first established by the 1990 Charter of Paris for a New Europe, has been held by Germany (June 1991-Jan. 1992); Czechoslovakia (Jan. 1992-Dec. 1992); Sweden (Dec. 1992-Dec. 1993); Italy

(Dec. 1993-Dec. 1994); Hungary (Dec. 1994-Dec. 1995); Switzerland (Dec. 1995-Dec. 1996); Denmark (Dec. 1996-Dec. 1997); Poland (Dec. 1997-Dec. 1998); and Norway (Dec. 1998-Dec. 1999).

These countries have served with varying degrees of success. During the Czechoslovak tenure, for example, the Czechoslovak federal government was mired in disputes over the internal structure of the country and, in the middle of its tenure, agreement was reached to split the country into two newly independent republics.

As the organizational demands of the OSCE have increased, particularly in the Balkans, the role of the CIO has taken on greater importance. Some governments (such as Switzerland) have enhanced their contribution as CIO to the OSCE by providing considerable voluntary financial contributions to specific projects undertaken during under their leadership. All countries serving as CIO have had to devote substantial personnel and political capital to their efforts, sometimes at the expense of other foreign policy priorities.

There has been some concern about Romania's readiness to hold such a critical position in the OSCE. In 1996, parliamentary elections in Romania resulted in the formation of a reform-oriented coalition, now led by Prime Minister Radu Vasile. Unfortunately, this government has failed to deliver on expectations that it would engage in profound economic reform and, in fact, the economy has stagnated. (In addition, the Helsinki Com-

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mission is continuing to monitor a number of specific human rights concerns in Romania, including the plight of the Romani minority, restrictions on free speech and freedom of the media, property restitution, and religious liberties.) For many countries, the change of government from one party to another is not viewed as a significant factor in the race for the CIO post. In Romania's case, however, there are concerns that a return of the Social Democrats (especially if they form a coalition with extreme nationalists) would affect the ability or willingness of the Romanian Government to exercise the kind of leadership necessary to make the OSCE's crisis management and democratization efforts successful. Moreover, in light of the sharp complaints by Romanian officials about the economic impact on Romania of NATO's engagement in Kosovo, there is some concern that Romania, as a CIO, might seek to manipulate the OSCE's Balkan reconstruction efforts to serve Romania's own parochial interests.

As Romania is scheduled to hold elections in late 2000, a decision on the CIO post will most likely be made before it is known what kind of government will be in office during the year for which Romania seeks the chairmanship. In light of growing dissatisfaction with the *status quo*, there is a real possibility that the elections could produce a highly fractured parliament and a minority or coalition government led by insufficiently reconstructed former communists. According to past practice, although not specifically required by any OSCE mandate, the CIO is selected one year in advance of assuming the position; thus, it is widely expected that the CIO for the year 2001 will be named at the OSCE Summit of Heads of State and Government, to be held in Istanbul in November of this year. □

OSCE redeploys Mission in Kosovo

by Janice Helwig

The OSCE is back in Kosovo. On July 1, the Permanent Council of the 55 OSCE participating States took a decision on a mandate for a new Mission in Kosovo, replacing the Kosovo Verification Mission (KVM) which was withdrawn from Kosovo on 19 March prior to the NATO airstrikes. The KVM had continued to work out of Skopje, Macedonia, assisting other international organizations with the refugee crises in Macedonia and Albania, but the number of personnel had been reduced from about 1400 to about 200. On June 8, the Permanent Council had decided to formally close the KVM and establish a transitional OSCE Task Force for Kosovo. The transitional Task Force prepared for the redeployment of an OSCE Mission following a peace settlement in Kosovo, continued monitoring human rights in Kosovo, and assisted other international organizations with refugee registration.

The new OSCE Mission in Kosovo is a component of the United Nations Interim Administration in Kosovo (UNMIK). UNMIK is composed of four main components: civil administration, humanitarian, institution-building, and reconstruction. The OSCE Mission will lead on institution-building, which also will encompass democracy-building and human rights. The OSCE will also be responsible for financing this portion of UNMIK. OSCE Chairman-in-Office Norwegian Foreign Minister Knut Vollebaek has appointed Dutch Ambassador Daan Everts to head the OSCE Mission in Kosovo. Everts will simultaneously serve as Deputy Special Representative of the UN Secretary General in charge of institution-building for UNMIK. (Everts was previously the Head of the OSCE Mission in Albania.)

The OSCE Mission in Kosovo will focus its work on several areas. It will monitor, protect, and promote human rights in Kosovo. It will support the development of civil society and NGOs, political parties, and local independent media. The OSCE will organize and conduct elections in Kosovo. The Mission will operate a police school to train local Kosovar police (after graduation from the OSCE-run school, local Kosovar police will continue to receive training from the UN with an on-the-job training program conducted by UN police). The OSCE will also train judicial personnel and civil administrators in Kosovo with the assistance of other international organizations.

OSCE holds Supplemental Meeting on gender issues

by Maureen T. Walsh

According to its mandate, the OSCE Mission is to “be guided by the importance of bringing about mutual respect and reconciliation among all ethnic groups in Kosovo and of establishing a viable multi-ethnic society where the rights of each citizen are fully and equally respected.” It is to closely cooperate and coordinate with other international organizations working in Kosovo.

As of early August, the OSCE had deployed more than 150 international staff and hired over 300 local staff. Its human rights teams were assisting in documenting mass gravesites and recording reports of kidnappings. The OSCE Contact Point for Roma and Sinti visited Kosovo in late July to assess the human rights situation of Roma in the area. An assessment team was identifying existing documentation which could be used in the creation of a voter registration list. The Police School was expected to open around September 1.

Further information on the OSCE Mission in Kosovo can be obtained from the official OSCE homepage at www.osce.org/kosovo/. □

On June 14-15, the OSCE held a supplemental human dimension meeting on the subject of “gender issues,” with a focus on issues affecting women in the OSCE region, at the Hofburg Palace in Vienna, Austria. More than 200 people attended the meeting, including a large number of representatives of women’s NGOs. Notably, only one U.S.-based NGO, Human Rights Watch, was represented at the meeting.

The gender issues meeting was the second of three supplemental human dimension meetings to be held this year. The decision to convene three supplemental human dimension meetings was taken last year as part of a restructuring of the OSCE’s approach to reviewing implementation of human dimension commitments. That decision, which also tightened the schedule for the periodic implementation review meetings held in Warsaw, mandated that there should be three supplemental (usually one-day) human dimension meetings held each year in Vienna. In theory, holding these meetings in Vienna, at the site of the weekly meetings of the Permanent Council—the OSCE’s standing decision-making body—will foster greater consideration of human dimension issues by the Permanent Council. The first supplemental human dimension meeting was held this year in March on the topic of religious liberties; the third meeting, scheduled for September, will address Romani human rights.

At the first supplemental meeting, national delegations read prepared statements and NGOs pointed out problems, but the meeting provided

little opportunity for dialogue on possible solutions to problems. Accordingly, the second supplemental meeting was organized slightly differently to encourage more open discussion between participants and the promulgation of recommendations. Thus, after a short plenary session with a keynote speech by Martina Vandenberg of the Women’s Rights Division of Human Rights Watch, each participant moved into one of three working groups to engage in an informal discussion. The three working groups focused on gender issues in the context of: (1) the economic sphere, (2) the security sphere, with a focus on post-conflict rehabilitation, and (3) the political and public spheres. In each working group a rapporteur led the group in identifying the key substantive concerns in that particular sphere and discussing examples of good and bad practices. In addition, participants were urged to craft recommendations on the identified concerns for the OSCE or participating States.

In the working group on action in the economic sphere, despite the emphasis on informal discussions, the session began with the reading of prepared statements on behalf of the Nordic countries and the European Union. Thanks in large part to NGO representatives from Central Asia and the Caucasus, a discussion eventually evolved and prepared statements were kept to a minimum thereafter. A prevailing concern voiced in this working group was the “feminization of poverty” and the disproportionate impact of unemployment on women. One participant described a 50 percent nationwide unemployment rate in

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Kazakstan—noting that in some parts of the country the unemployment rate is as high as 80 percent—of which the majority are women. Others described rampant sex discrimination against women hindering their ability to gain employment and, for those fortunate enough to secure a job, blatant sexual harassment in the workplace. Legal recourse against such behavior is lacking in most countries. Several participants from eastern OSCE countries initially insisted that the laws in their countries are “non-discriminatory.” However, when asked specifically, the women acknowledged that there is no legislation which provides women with a legal remedy if they suffer discrimination. Participants from all OSCE regions also highlighted the issue of trafficking in women as a tragic and violent consequence of women’s inability to earn a living wage in many post-communist countries.

The second working group, which focused on the security sphere, concentrated on the impact of conflicts on women and how the OSCE can address women’s needs in the context of post-conflict rehabilitation. Due to the loss of male family members in a conflict, many women have become heads of household during conflicts in Kosovo, Bosnia and Herzegovina, Tajikistan and elsewhere in the OSCE region. Participants expressed frustration that, despite these new roles, women are often overlooked by the international

community in the planning and implementation of democratization and economic reconstruction programs in post-conflict settings. By way of example, participants asserted that women have unequal access to loans and are commonly diverted into training programs for low-paying jobs in traditionally female occupations. In addition, participants emphasized the importance of responding to the needs of sexual or domestic violence victims during or after a conflict, including working to change societal attitudes which stigmatize rape victims and cause them to be ostracized from society. It was also noted that refugee women and women in post-conflict settings are particularly susceptible to trafficking. Participants emphasized the essential need to take legal and practical steps in Kosovo to protect women from crimes such as trafficking. Participants in this working group, as well as those in the first working group, suggested that the OSCE serve as a forum in which source, transit and destination countries for trafficking victims could work cooperatively on solutions to this problem.

The third and largest working group that considered gender issues in the political and public spheres began with a statement on behalf of EU member states. Participants discussed the under-representation of women in decision-making bodies and within the OSCE itself. Participants recognized that increasing the numbers of women in parliament and at regional and lo-

cal levels represents only half the story; many women serving in elected positions find their participation marginalized because they are limited by male leadership to policy areas indicative of gender stereotyping, such as cultural and social affairs issues, at the expense of involvement in key policy areas such as trade, industry, transportation and economic affairs. In this working group, there was a marked difference between the approach of the NGOs from Western countries and those that came from Central Asia or the Caucasus. Many NGOs from Western European countries focused on issues such as the ratification or non-ratification of international treaties on women’s rights, whereas NGOs from Central Asia and the Caucasus spoke more about the actual barriers they face to the effective protection of their rights. In addition, some of the NGOs from Central Asia and the Caucasus made suggestions on ways the OSCE offices in their region might better promote women’s rights.

In general, the informal discussion format employed at this second supplemental meeting was regarded as an improvement over the formal presentations that plagued the first supplemental meeting in March. That said, there continued to be some problems with this format, demonstrating the need for the OSCE to further refine the organization and modalities for the supplemental human dimension meetings.

First, while removing nameplates was designed to foster a more informal and spontaneous exchange of views, it also resulted in participants, especially in the largest of the three working groups, sometimes not knowing who was speaking. Second, the decision to divide participants into three working groups was intended to foster discussions at more than a superficial level on any given aspect of gender issues. By holding three working group meetings simultaneously, however, many NGOs and smaller government delegations could only participate in one group and were denied the possibility of listening and contributing to other groups in which equally vital issues were addressed. An alternative approach might have been to adopt a narrow agenda focused on a discreet set of issues. The decision to adopt an arguably overly broad agenda—effectively trying to address all issues related to women’s human rights in a time frame that spanned a mere seven hours—appar-

ently stemmed from the inability of the participating States to agree on a common set of priorities. Another unfortunate side effect of holding three simultaneous working groups was the lack of sufficient facilities for simultaneous translation for all groups.

Finally, it became clear during the course of the meeting that many NGO participants had little or no experience at OSCE meetings or with the Helsinki process; for some this appeared to be their first experience at any international gathering of this kind. On the other hand, many of the Western NGOs appeared to be accustomed to raising human rights issues in the context of United Nations or Council of Europe meetings—both bodies with markedly different structures than the OSCE. (Unlike the United Nations, for example, the OSCE does not engage in any development work and is unlikely to do so.) Accordingly, it was unfortunate that some speakers, including at least one person speaking on behalf of the ODIHR,

misrepresented the nature of the suggestions made at the meeting by implying that they had the same status as consensus-based decisions adopted by the OSCE participating States, which they do not. In fact, while there were constructive and useful recommendations made during the meeting, which were summarized by the moderators at the end of the meeting, it is clear that some suggestions would never be accepted by the OSCE participating States. For example, in one working group a participant argued that because women face unfavorable stereotyping by the media, the mandate of the OSCE Representative on Freedom of the Media should be expanded to address this problem by giving him, in effect, a censorship role. Such a recommendation would not gain a consensus among the OSCE participating States and, in all likelihood, would be strongly opposed by NGOs that monitor freedom of the media. □



A graphic presentation of the interrelationships within the OSCE

Helping to make Serbia a democracy

by Robert Hand

On July 14, the Helsinki Commission held a briefing which focused on the ability of the United States and the international community to encourage democratic change in Serbia. Chuck Sudetic, formerly with *The New York Times*, and Laura Silber, formerly with the *Financial Times*, both offered their views on the subject based on their extensive experience in the Balkans. Both of the panelists recommended that the United States Government should seize the moment and strengthen the nascent democratic forces operating in Serbia. They reminded those in attendance that, despite the NATO presence in Kosovo and Bosnia, Serbia remains a potentially destabilizing force in the region. It is crucial, therefore, that the United States and the international community promote democratic reform as a part of their overall campaign to integrate the Balkans into the European community.

Drawing on her own recent experience in Serbia, Silber emphasized that “the people are hungry for change,” and consider any future with Milosevic to be a catastrophic dead end. Sudetic stressed that outside assistance is necessary in order to prevent further deterioration within the country and ensure that the old guard does not remain in power. Both agreed that the solution lies in targeted financial assistance. “A little bit will go a long way,” Sudetic commented, “we

should not hesitate.” He identified organizations such as local media and labor unions as potential recipients of Western aid. Silber concurred, adding further that such assistance must not be channeled from the top down, but must penetrate directly into the lower regions of Serbian society in order to be effective.

With regard to the present leadership in Serbia, Sudetic argued that the international community must profess zero-tolerance toward groups that exhibit the slightest hint of ethnic nationalism. The United States, furthermore, must continue to cooperate with the International Criminal Tribunal in the Hague, and even step up efforts to provide evidence for prosecution. Silber, noting the effectiveness in the past of a travel ban on ranking members of Milosevic’s government, recommended manipulating the list when necessary to both stimulate and reward progress.

In light of the recent NATO air campaign, many question whether the Serbian public will welcome U.S. assistance. Sudetic and Silber, however, shared the view that only Milosevic stands in the way of democratic progress, as people are now “waking up” and are desperate for a normal life.

In a related development, the Parliamentary Assembly of the OSCE met in St. Petersburg, Russia, in July and recommended the establishment

by the OSCE of an organized program to assist and promote democratic development in Serbia and to protect it in Montenegro, arguing that “the people of Serbia share the right of all people to enjoy life under democratic institutions” and that democratic change in Serbia is “essential to the implementation of any settlement regarding Kosovo, and to long-term stability in the region.”

Citing popular discontent in Serbia regarding the Milosevic regime as a positive indicator that change is desired, the Co-Chairs of the Helsinki Commission and six other Members of the Congress attending the session—Senator George V. Voinovich (R-OH) and Representatives Steny H. Hoyer (D-MD), Benjamin L. Cardin (D-MD), Alcee L. Hastings (D-NY), Pat Danner (D-MO) and John S. Tanner (D-TN)—subsequently wrote Secretary of State Madeleine K. Albright recommending the Serbian initiative within the OSCE. The letter claimed that “calling public attention to the evils perpetuated by Milosevic is important but not enough. We must take major initiatives to assist democratic forces in Serbia. Unless they can strengthen and unite themselves and their efforts, they may stand little chance against this tyrant, regardless of how unpopular he may be.” (*Brooks Wheeler contributed to this article.*) □

(l. to r.) Steven Falster,
Louise Shelley,
Laura Lederer
and Wendy Young
testify on
sexual trafficking



Sexual slavery attacked by Commission

by Maureen T. Walsh

On June 28, the Commission held a hearing to examine the problem of trafficking of women and children for sexual exploitation in the OSCE region. In his opening remarks, Chairman Rep. Christopher H. Smith (R-NJ) decried trafficking as “a form of modern day slavery” and explained that when a woman or child is trafficked or sexually exploited by force, fraud or coercion for commercial gain, she is denied the most basic human rights—namely, her rights to liberty and security of person, her right not to be held in slavery or servitude, and her right to be free from cruel or inhumane treatment. In the worst cases, a woman is denied her right to life.

Testifying at the hearing were Anita Botti, Deputy Director and Senior Advisor on Trafficking in the U.S. State Department’s Office of the Senior Coordinator for International Women’s Issues; Steven Galster, Executive Director of Global Survival Network; Dr. Louise Shelley, American University Professor and Director of the Center for the Study of

Transnational Crime and Corruption; Laura Lederer, Research Director and Project Manager of The Protection Project; and Wendy Young, Washington Liaison and Staff Attorney for the Women’s Commission for Refugee Women and Children of the International Rescue Committee.

Anita Botti described the trafficking of human beings, predominantly women and children, as “clearly one of the most egregious [human rights] violations of our time.” Trafficking is typically defined as the recruitment, transport, harboring, transfer, sale or receipt of persons within national or across international borders through fraud, coercion, force or kidnaping, for purposes of placing persons in situations of slavery-like conditions, forced labor or services including, for example, forced prostitution, domestic servitude, bonded sweatshop labor or other debt bondage. The word “trafficking” does not describe the situation where a man or woman pays someone to help him or her get to another country where he or she can find work, including illegal work, but

will control his or her own movements and earnings.

Millions of people a year, most of them women and children, are traded against their will to work in various forms of servitude creating one of the fastest growing criminal enterprises in the global economy. Trafficking has long been a problem in Asian countries and, with the fall of communism in East-Central Europe and the breakup of the Soviet Union, the OSCE region has seen a similar trade in human beings rapidly develop, particularly for the commercial sex industry. Women trafficked in the OSCE region are often well educated, however, unemployment has skyrocketed in many East European countries—an estimated 70 percent of the unemployed in Russia are women—making women, and the children they support, easy prey for sophisticated traffickers.

As described by the hearing witnesses, sophisticated organized crime networks lure women into trafficking using advertisements for jobs abroad as models, dancers, waitresses, or au

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**Anita Botti, Deputy Director
and Senior Advisor
on Trafficking in the
U.S. State Department's
Office of the Senior Coordinator
for International Women's Issues
testifying before the Commission**



pairs—jobs that promise women far more earnings than they can possibly hope for in Russia, Ukraine or other countries of the former Eastern Bloc. After being transported to a destination country, the women's passports and other papers are seized by the traffickers and their movement is restricted. Victims are told they must engage in prostitution or other commercial sex activities, or they are subjected to slave-like labor conditions to pay off transportation costs and other "debts" they now owe to their traffickers. Women who resist these demands are beaten, raped, drugged, or kept in confinement until they agree to comply. In some cases, the women's lives are threatened or the traffickers threaten to harm the families they left behind.

According to the U.S. Government, more than 50,000 women and children are trafficked into the United States annually, primarily from Latin America, the former Soviet Union and South East Asia. The clandestine and criminal nature of trafficking makes

any statistics on the incidence of trafficking inherently suspect, and thus the actual number of trafficked women is likely even higher. Russia, Ukraine, Poland and the Czech Republic are major countries of origin in Central and Eastern Europe. The United States, Western Europe and Israel are major destination points for women trafficked from the OSCE region.

Under the current laws and practices in the United States and European countries, trafficking victims are usually denied an effective remedy against those who have violated their rights. Ironically, it is the women trafficked that end up being arrested in brothel raids, locked up and then deported as illegal immigrants while their perpetrators rarely suffer repercussions for their actions. Laura Lederer, head of a research project that is gathering information on laws in every country that protect women and children from commercial sexual exploitation, testified that "the prostitution laws, which are aimed at women and children, are enforced, while the

procuration laws, aimed at the traffickers, are almost never invoked."

The reality of trafficking from the former Soviet Union came to light largely through a two-year undercover investigation conducted by Global Survival Network, a Washington, D.C.-based non-governmental organization. Steven Galster, a key participant in the investigation, testified at the hearing that trafficking victims' fear of authorities keeps them from seeking help. "Having lived under formerly autocratic and now often corruption-laced governments, [victims] fear the police as much as the trafficker and/or pimp," Galster explained. Moreover, victims working illegally as prostitutes are likely to be arrested and deported if they seek help from the police. Deportation, while seemingly an option for escape, would actually lead to retribution by the trafficking network. To emphasize this point, witnesses recounted several stories of women escaping from their traffickers only to be recaptured later and murdered.



**Commissioners Chairman
Rep. Christopher H. Smith (R-NJ) (center)
and Rep. James C. Greenwood (R-PA)
address trafficking issues.**

Dr. Louise Shelley described the extensive involvement of organized crime as a main element of the trafficking problem, explaining that “trafficking helps perpetuate systemic government corruption. It helps fund the expansion of other organized crime activities as traffickers are often engaged in trafficking arms and drugs. The quick and continuous profits made from trafficking also permit the organized crime organizations to expand into other areas of illicit activity.”

Wendy Young’s testimony highlighted the impact that trafficking has on refugee women and children and characterized refugee crises as “fertile ground for trafficking in women and children.” Speaking about the recent flight of Kosovars out of Serbia, Ms. Young described disturbing reports of abuses against women and children emerging from the refugee camps, including stories of women and girls caught up in the trafficking network that was already thriving in the region, particularly in Albania. By promising women new jobs and a home in other countries, traffickers have persuaded an unknown number of young women to leave the camps. Some reports indicate that traffickers have abducted the women who were

unwilling to leave the camps. Although many Kosovars are now returning to their homes, the trafficking threat for displaced women and children continues. In many cases, the male members of a family return to their homes first, thus leaving women alone in the camps and even more vulnerable to abuse.

Reflecting on the witnesses’ presentations, Commissioner Rep. James C. Greenwood (R-PA) stated that “this is some of the most heartbreaking testimony I’ve heard in a long time.”

In response to the growing awareness of trafficking as a critical human rights problem, two bills addressing the issue have been introduced in the 106th Congress. Chairman Smith introduced H.R. 1356 that would severely punish persons in the United States convicted of sexual trafficking. If enacted, the legislation would authorize \$40 million over two years for international and domestic victims assistance programs and would provide relief from deportation and the possibility of obtaining permanent resident status for victims who meet certain requirements. H.R. 1356 would also prohibit non-humanitarian U.S. assistance to countries that fail to meet a minimum standard toward the elimination of sexual trafficking.

Commissioner Rep. Louise Slaughter (D-NY) has also proposed H.R. 1238 that would deny U.S. police assistance to foreign countries that do not take effective action to end the participation of their government officials in trafficking. H.R. 1238 would also grant trafficking victims a temporary stay of deportation and would provide \$80 million over two years for victim assistance programs.

Following the hearing, Mr. Smith, as head of the U.S. delegation to the OSCE Parliamentary Assembly meeting in St. Petersburg, advanced a resolution calling for governments of OSCE States to adopt new laws or strengthen existing laws and enforcement mechanisms to punish trafficking perpetrators, particularly those who use force or fraud to traffic women or children into the international sex trade, while protecting the rights of trafficking victims; and to develop internationally coordinated law enforcement strategies for combating international organized crime, particularly targeting the organized crime in trafficking. [see September 1999 *Digest*] (*Jill Parlett contributed to this article*). □

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